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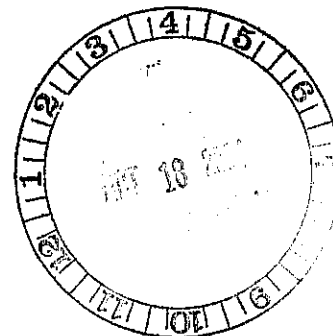
October 13, 2004

NAT04-6048

VIA FAX AND U.S. MAIL

Ms. Christina D. Andres  
Nevada Division of Environmental Protection  
1771 East Flamingo Road  
Suite 121A  
Las Vegas, NV 89119

Re: Maryland Square Shopping Center  
3661 S. Maryland Parkway  
Las Vegas, Nevada



Dear Ms. Andres:

We represent Al Phillips the Cleaner, Inc. ("APTC") in the case of *Irwin Kishner, et al. v. Al Phillips The Cleaner, Inc., et al.* which concerns perchloroethylene ("PCE") contamination at the old Maryland Square Shopping Center, 3661 S. Maryland Parkway, Las Vegas, Nevada (the "Site"). As you know, APTC is in the process of taking over the assessment and remediation of the Site from the former owners who are the plaintiffs in the pending lawsuit. Our consultant is URS Corporation ("URS") and the project manager is Mr. Scott Ball.

The purpose of this letter is to inform you that we have encountered difficulty in obtaining permission to access property adjacent to the Site for the purpose of conducting assessment and/or remediation activities. We hereby request your assistance in resolving those problems.

The relevant adjacent parcel is commonly known as 3585 S. Maryland Parkway, Las Vegas, Nevada (Parcel No. 162-15-602-003), and is owned by the Gee Family Trust (the "Trust"). We have been trying to obtain permission to access to that property for some time.

Preliminarily, it should be noted that the Trust previously executed an access agreement with the environmental consultants to the former owners of the Site, Converse Engineering Consultants, Inc. ("Converse"). A copy of that agreement, dated May 3, 2002, is attached hereto as Exhibit A.

We first contacted the Trust's representative via telephone in May 2004. The representative (and, presumably, Trustee) is Rana Goodman, whose contact information is: 2763 Foxtail Creek Avenue, Henderson, Nevada, 89052 (e-mail: RANA0527@aol.com).

On June 8, 2004, APTC presented a written request for access from the Trust. A copy of the registered letter requesting such access (previously copied to your office) is attached hereto as Exhibit B.

On June 22, 2004, the Trust responded by e-mail, indicating a qualified willingness to cooperate with APTC and URS. Additional e-mail correspondence ensued, largely centering on the reason access was now needed, why it was beneficial for the Trust, and why no compensation for such access was customary or appropriate. On June 24, 2004, the Trust agreed to cooperate in providing access. Copies of the various e-mail communications exchanged are attached hereto as Exhibit C.

On June 22, 2004, on APTC's behalf, URS forwarded the Trust an "Agreement for Site Access." A copy of that document is attached hereto as Exhibit D.

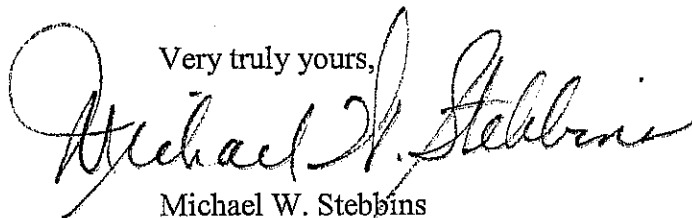
On July 20, 2004, the parties agreed upon a further modification of the access terms. A copy of an e-mail exchange confirming that modification is attached hereto as Exhibit E. A copy of a letter memorializing that modification which requests a signature on behalf of the Trust is attached hereto as Exhibit F.

For some three months, APTC waited for the fully executed documents and periodically requested that they be returned. On October 11, 2004, the Trust finally responded, but now indicated that it would *not* execute the proposed access agreements, thereby denying APTC access to the Site and reneging on prior assurances.

As we believe you would agree, ongoing access to the Trust property is very important to the expeditious assessment and remediation of the Site. We would sincerely appreciate any assistance or suggestions you would be able to offer in this matter. Please contact me directly at 650-330-4136.

Thank you very much.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael W. Stebbins". The signature is fluid and cursive, with a large initial "M".

Michael W. Stebbins

Enclosures

cc: Randy L. Jackson  
Rana Goodman  
Scott Ball, URS  
Sonja Inglin, Esq., Jenkins & Gilchrist, LLP